

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

|                           |   |                               |
|---------------------------|---|-------------------------------|
| UNITED STATES OF AMERICA, | ) |                               |
|                           | ) |                               |
| Plaintiff,                | ) |                               |
|                           | ) |                               |
| vs.                       | ) | Case No. 14-00253-01-CR-W-HFS |
|                           | ) |                               |
| REGINALD D. ABBOTT,       | ) |                               |
|                           | ) |                               |
| Defendant.                | ) |                               |

**MOTION FOR CONTINUANCE**  
**WITH SUGGESTIONS**

COMES NOW the Defendant, through counsel, Robert Kuchar, Assistant Federal Public Defender for the Western District of Missouri, in accordance with Rule 47, Fed. R. Crim. P., and Rule 7.1(b) of the Local Rules of Procedure for the United States District Court for the Western District of Missouri, and moves this Court, pursuant to 18 U.S.C. §3161(h)(8)(A) and (B), to continue this case to the Accelerated Joint Criminal Trial Docket scheduled for March 30, 2015.

**SUGGESTIONS IN SUPPORT**

1) On August 27, 2014, a complaint was filed charging defendant with one count of unlawful possession of a firearm in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2). On September 18, 2014, Mr. Abbott was indicted with one count of unlawful possession of a firearm in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2).

2) Justin Davids, Assistant U. S. Attorney, does not object to this continuance request.

3) Undersigned counsel has filed a motion to withdraw as attorney of record and new counsel will be appointed soon.

4) This continuance is sought not for the purpose of dilatory delay, but is sought in

truth and fact that Mr. Abbott may be afforded due process of law under the Fifth Amendment to the U.S. Constitution and afforded effective assistance of counsel under the Sixth Amendment to the U.S. Constitution. In accordance with 18 U.S.C. §§ 3161(h)(8)(A) and (B)(IV), it is submitted that the above-stated reasons for a continuance outweigh the best interest of the public and Mr. Abbott's right to a speedy trial which is required by 18 U.S.C. § 3161(c)(1).

5) Under the provisions of 18 U.S.C. § 3161(h)(8)(A), the period of time until the next criminal trial docket should be excluded in computing the period of time in which the defendant should be brought to trial under the provisions of the Speedy Trial Act.

WHEREFORE, the Defendant respectfully requests this Court, pursuant to 18 U.S.C. §3161(h)(8)(A) and (B), to remove this case from the Accelerated Joint Criminal Trial Docket scheduled for February 23, 2015, and to continue the case to the Accelerated Joint Criminal Trial Docket scheduled for March 30, 2015.

Respectfully submitted,

/s/ ROBERT KUCHAR  
Assistant Federal Public Defender  
818 Grand Avenue, Suite 300  
Kansas City, MO 64106  
(816) 471-8282

#### **CERTIFICATE OF SERVICE**

In accordance with Rule 49(a), (b) and (d), Fed. R. Crim. P., and Rule 5(b), Fed. R. Civ. P., it is hereby CERTIFIED that the foregoing motion was electronically filed on this 10th day of February, 2015, and that a copy was e-mailed to Justin Davids, Assistant U. S. Attorney, 400 E. 9<sup>th</sup> St., KC, MO 64106, pursuant to the Electronic Case Filing system.

/s/ ROBERT KUCHAR